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THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KELLY RANDALL,

Case No. 07-6265-AA

Plaintiff,

v.

CENTRAL CREDIT SERVICE, INC.

Defendant.

COMPLAINT FOR VIOLATIONS OF
FAIR DEBT COLLECTION
PRACTICES ACT AND INVASION
OF PRIVACY

JURY REQUESTED

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d), and pursuant to 28 U.S.C. § 1367 for pendent state law claims.
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA"), as well as other state law tort claims.
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here, and Defendant transacts business here.

PARTIES

4. Plaintiff Kelly Randall is a natural person who resides in the City of Eugene, County of Lane, State of Oregon, and is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant Central Credit Service, Inc. (hereinafter “CCS”) is a collection agency operating from an address of 9550 Regency Square Blvd Ste 500., Jacksonville, FL, 32225 and is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

6. Plaintiff is the cosigner of an account that her cosigner agreed to pay.

7. The account was a credit card that Plaintiff’s cosigner used for personal use.

8. Defendant alleges that Plaintiff’s cosigner failed to make the agreed payments to the original creditor.

9. Defendant has repeatedly telephoned Plaintiff at her place of employment in an attempt to collect from Plaintiff.

10. Plaintiff has repeatedly demanded that Defendant stop all collection efforts at Plaintiff’s place of employment.

11. Despite Plaintiff’s demands, Defendant has repeatedly telephoned Plaintiff at her place of employment.

12. As a direct and proximate result of Defendants’ actions Plaintiff has suffered actual damages in the form of emotional distress, anger, anxiety, worry, and frustration, among other negative emotions.

TRIAL BY JURY

13. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend.

7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

14. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

15. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692c(a)(3), 1692d, and 1692f.

16. As a result of Defendant's violations of the FDCPA, Plaintiff has suffered actual damages and is therefore entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

COUNT II.

INVASION OF PRIVACY BY INTRUSION UPON SECLUSION

17. Plaintiff incorporates by reference all of the paragraphs of this Complaint as though fully stated herein.

18. Defendant intentionally interfered, physically or otherwise, with the solitude, seclusion and or private concerns or affairs of the Plaintiff.

19. Defendant intentionally caused harm to Plaintiff's emotional well being by engaging in highly offensive conduct in the course of collecting a debt.

20. Plaintiffs had a reasonable expectation of privacy in Plaintiff's solitude, seclusion, and

or private concerns or affairs.

21. The intrusion by Defendant occurred in a way that would be highly offensive to a reasonable person in that position.

22. As a result of such invasions of privacy, Plaintiff is entitled to actual damages and punitive damages in an amount to be determined at trial from Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against Defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) against Defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against Defendant;

COUNT II.

INVASION OF PRIVACY BY INTRUSION UPON SECLUSION

for an award of actual damages and punitive damages against Defendant suffered as a result of the invasions of privacy in an amount to be determined at trial;

for the costs of litigation against Defendant; and

any other relief the Court deems proper.

DATED

Olsen, Olsen & Daines, LLC

/s/ Keith D. Karnes

Keith D. Karnes, OSB # 03352

Attorney for Plaintiff

VERIFICATION OF COMPLAINT AND CERTIFICATION BY PLAINTIFF

I, Kelly Randall, swear under penalty of perjury that to the best of my knowledge:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

/s/ Kelly J. Randall
Kelly Randall